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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,853	03/18/2004	John Montminy	K&S-S3P4	6546
24131	7590	09/20/2005	EXAMINER	
LERNER AND GREENBERG, PA P O BOX 2480 HOLLYWOOD, FL 33022-2480			HOANG, TU BA	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No. 10/803,853	Applicant(s) JOHN MONTMINY	
	Examiner Tu Ba Hoang	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/29/05</u> . | 6) <input type="checkbox"/> Other: ____. |

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Applicant is advised that the Notice of Allowance previously mailed is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.

Prosecution on the merits of this application is reopened on claims 1-15 and 18-20 considered unpatentable in view of the newly discovered references. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8-15 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Karagoz et al (US 4,513,425). Karagoz et al shows all features of the claimed invention (Figure 2) including an electrode assembly comprising two electrodes of carbon material, each formed with a respective socket having an internal thread and a bottom end, a pin of carbon material formed with an external thread and two end portions for connecting the two electrodes to form an electrode column, at least one of the electrodes and the pin each has an abutment surface (defined by the flange 68) configured to come into contact with the respectively other abutment surface when the pin is screwed into the socket, before the end portion of the pin reaches the bottom end of the socket, wherein the abutment surface of the pin is defined on a protrusion or flange 68 formed on one of the two end portions with the protrusion or flange 68 projecting radially beyond the external thread as shown in both Figures 2 and 3A .

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated Watson, Jr. et al (US 3,550,270). Watson, Jr. et al shows all features of the claimed invention (Figures 2-3) including a thread pin for connecting into a socket formed with an internal thread in a carbon electrode body 7, the pin comprising a pin body 4 having a central axis and a first and second end portions and an external thread, a protrusion or ring 1 forming an abutment surface extending radially beyond the external thread and facing toward one of the end portions, wherein the abutment surface forms part of the ring or flange or retaining nut 1 of graphite, polymeric material, or polyphenylenether that is integrally formed on the pin body 4.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated Hopkins (US 2,039,167). Hopkins shows all features of the claimed invention (Figures 3-4)

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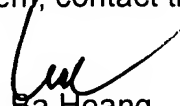
including a thread pin 21 for connecting into a socket formed with an internal thread in a carbon electrode body 11, the pin comprising a pin body having a central axis and a first and second end portions 20 and an external thread, a protrusion or ring or disc 1 forming an abutment surface extending radially beyond the external thread and facing toward one of the end portions, wherein the abutment surface forms part of the ring or flange or retaining nut.

Claims 1-5, 9, 14-15, 18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Paus (US 3,540,764). Paus shows all features of the claimed invention including an electrode assembly comprising two electrodes 10, 14 of carbon material, each formed with a respective socket having an internal thread and a bottom end, a pin 12 of carbon material formed with an external thread and two end portions for connecting the two electrodes to form an electrode column, at least one of the electrodes and the pin each has an abutment surface configured to come into contact with the respectively other abutment surface when the pin is screwed into the socket, before the end portion of the pin reaches the bottom end of the socket, wherein the abutment surface of the pin is defined on a protrusion 18 of graphite formed on one of the two end portions with the protrusion 18 projecting radially beyond the external thread as shown in both Figures 1 and 3.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Ba Hoang whose telephone number is (571) 272-4780. The examiner can normally be reached on Mon-fri from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tu Ba Hoang
Primary Examiner
Art Unit 3742

September 15, 2005